



FOR IMMEDIATE RELEASE  
December 11, 2013

## **North Carolinians File Suit Against the State Over Unconstitutional Voucher Program**

**RALEIGH, NC** – Twenty-five plaintiffs from across the state filed a lawsuit in Wake County Superior Court this morning challenging the constitutionality of the school voucher law passed by the General Assembly last session.

The large and diverse group of plaintiffs who joined in the lawsuit, sponsored by the North Carolina Association of Educators (NCAE) and the North Carolina Justice Center, reflects North Carolinians' growing alarm at the Legislature's attacks on public education.

The plaintiffs include such educational leaders as former Superintendent of Public Instruction Mike Ward and former Shaw University president John Lucas, as well as parents, teachers, members of the clergy and other community leaders.

Rodney Ellis, president of the North Carolina Association of Educators and one of the plaintiffs on the lawsuit, said vouchers, which provide \$4,200 per year to pay for part of the tuition at a private school, will siphon money from public schools already strapped for cash and struggling.

"Vouchers for private schools are an affront to a state that has a long and cherished history of public education," said Ellis, a teacher from Winston-Salem with two children still in the public school system. "Using public money to pay for private schools is part of a broad assault on public schools -- and on the constitution of our state."

Melinda Lawrence, executive director of the N.C. Justice Center, said the vouchers are a clear violation of the state constitution's mandate that state revenues for public education "shall be faithfully appropriated and used **exclusively** for establishing and maintaining a uniform system of free public schools."

"The North Carolina Constitution could not be more explicit," Lawrence said. "Public monies are to be used only for free public schools. Period. That is the heart of our legal challenge."

Former State Superintendent of Public Instruction Mike Ward warned that putting public tax dollars into private schools, at a time when our schools already trail the nation in terms of commitment to students, is a recipe for disaster.

-MORE-

“Vouchers are not a solution to the problems in our schools,” Ward said. “The answer is to strengthen our schools, not to strip them of more resources.”

Ward said that while sponsors of the legislation claim that their voucher plan is to help disadvantaged student, their goal is to build a generalized system of vouchers for the middle class and beyond.

“This puts taxpayers in the position of funding private education for the few and I think that’s a misuse of tax dollars,” he added. “That’s not what taxpayers want.”

What most disturbs lead plaintiff Alice Hart, who lives in Buncombe County, is the danger the voucher program poses to the children. Most will be left in public schools with depleted resources, while those with vouchers will be enrolled in private schools with no accountability.

Private schools accepting voucher students are not required to be accredited; their teachers are not required to be certified. These private schools accepting public money through the voucher program will not be obliged to follow any particular curriculum.

“There will be no true measure of their achievement,” said Hart, a teacher, principal and former associate superintendent, who still volunteers in her grandson’s public school in Fletcher. “Is that what we want for our children?”

Brittany Williams, a single mother from Selma who would qualify for the voucher program, was stunned to learn that only the top decision-maker at a voucher school is required to undergo a criminal background check.

“That would leave my daughter with no protection from a teacher with a criminal history,” Williams said. “I had to register for a background check just to volunteer at my daughter’s school.”

The Rev. Arnetta Beverly, senior pastor at St. Matthews United Methodist Church in Greensboro said she hopes people of faith in this state will unite in opposition to the voucher program.

“We cannot be distracted by the political rhetoric that has surrounded this issue,” she said. “It is wrong to siphon money from public schools, which have an obligation to serve all students, to unaccountable private schools, which are free to turn away those who most need help.”

Judy Chambers, the daughter of legendary civil rights lawyer Julius Chambers, is a former teacher and mother of a child in public school in Charlotte. Her reason for joining the suit is simple. “My father fought for 50 years to build strong, integrated public schools in North Carolina. This voucher law is a direct attack on his legacy.”

Plaintiff John Lucas, an educational icon who fought segregation in the schools and ended an era

-MORE-

of separate black and white teacher organizations, received the state's highest civilian honor, the North Carolina Award for Public Service, last month. He said some issues go beyond politics. "There are times," Lucas said, "when you have to decide what is just, what is right. This is one of those times."

A list of the plaintiffs on the lawsuit, including contact information for each, is attached. [Click here](#) to see a copy of the lawsuit itself, a copy of key language from the State Constitution, and information prepared by the Justice Center on the impact of the voucher law.

**For more information, contact:**

Linda Powell-Jones, NCAE Editor  
919-832-3000

Ruth Sheehan  
919-810-7317 (cell)

Ann McColl, NCAE General Counsel  
919-755-5553 (office)  
919-610-5910 (cell)

Carlene McNulty, NC Justice Center Litigation Director  
919-856-2161 (office)  
919-451-8811 (cell)

Jeff Shaw, NC Justice Center Communications Director  
919-856-2161 (office)

###